

## **I. AMENDMENT TO THE CLAIMS**

Claim 1. (Previously Amended) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

a) a polynucleotide encoding a polypeptide containing an amino acid sequence which is at least 90% identical the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and

b) a polynucleotide that is complementary to the polynucleotide of (a).

Claim 2. (Previously Amended) The isolated polynucleotide according to claim 1 wherein said polynucleotide is isolated from a coryneform bacterium.

Claim 3. (Cancelled)

Claim 4. (Currently Amended) The polynucleotide according to claim 2 containing the nucleic acid sequence as shown in SEQ ID NO: 1.

Claim 5. (Allowed) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

(a) a polynucleotide encoding a polypeptide containing the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and

(b) a polynucleotide that is complementary to the polynucleotide of a), the polynucleotide encoding a polypeptide having phosphoglycerate mutase activity.

Claim 6. (Currently Amended) An isolated polypeptide consisting of: the nucleotide sequence shown in SEQ ID NO: 1, or a fragment thereof, wherein said nucleotide sequence or fragment thereof encode for a polypeptide having phosphoglycerate mutase activity.

Claim 7. (Allowed) An isolated corynebacterial polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

(a) a polynucleotide that is identical to SEQ ID NO: 1 encoding a polypeptide containing the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity,

(b) a polynucleotide that is complementary to the polynucleotide of (a), encoding a polypeptide having phosphoglycerate mutase activity.

Claim 8-21. (Cancelled)

Claim 22. (Previously Amended) A member of the coryneform group of bacteria transformed by the polynucleotide according to one of claims 1, 5, 6, or 7.

Claim 23. (Previously Amended) Bacteria according to claim 22, wherein the bacteria are of the genus *Corynebacterium*.

Claim 24. (Cancelled)

Claim 25. (Cancelled)

Claim 26. (Cancelled)

Claim 27. (New) An isolated polynucleotide comprising a polynucleotide sequence selected from the group consisting of:

- a) a polynucleotide encoding a polypeptide containing an amino acid sequence which is at least 95% identical the amino acid sequence of SEQ ID NO: 2, the polypeptide having phosphoglycerate mutase activity, and
- b) a polynucleotide that is complementary to the polynucleotide of (a).

Claim 28. (New) A vector comprising the polynucleotide of 1, 5, 7, or 27.

Claim 29. (New) The vector of claim 28, wherein said vector is an expression vector.

Claim 30. (New) A vector that is an expression vector pXKgpmexp comprising

- (a) the polynucleotide of claims 5 and 7; and
- (b) a restriction map as set forth in Figure 2.

Claim 31. (New) A host cell comprising the vector of claim 28.

Claim 32. (New) A host cell of claim 31 that is a prokaryotic cell.